

---

**Federal Communications Commission**

---

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Reier Broadcasting Company, Inc.	)	File No. EB-FIELDWR-12-00005179
Licensee of Station WMG482	)	
	)	NOV No. V201332800022
Bozeman, Montana	)	
	)	

**NOTICE OF VIOLATION**

**Released:** December 3, 2012

By the District Director, Denver Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules),<sup>1</sup> to Reier Broadcasting Company, Inc. (Reier), licensee of aural Studio Transmitter Link (STL) station WMG482 in Bozeman, MT. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation noted herein.<sup>2</sup>

2. On September 20, 2012, an agent of the Enforcement Bureau's Denver Office monitored and inspected radio station WMG482 located at 5445 Johnson Road, in Bozeman, MT, and observed the following violations:

- a. 47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part..." The license for station WMG482 specifies the transmitter coordinates of 45° 39' 32.7" north latitude and 111° 03' 24.8" west longitude, with a street address of 1450 W. Kagy Blvd., in Bozeman, Montana. At the time of the monitoring and the station inspection, the agent observed that Reier was operating station WMG482 from the coordinates of 45° 36' 48" north latitude 111° 05' 04" west longitude, with a street address of 5445 Johnson Road, in Bozeman, Montana.

---

<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 C.F.R. § 1.89(a).

---

**Federal Communications Commission**

---

- b. 47 C.F.R. § 1.903(a): “Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part...” The license for station WMG482 specifies the receive equipment location with coordinates of 45° 41’ 33.7” north latitude and 110° 58’ 59.8” west longitude. At the time of the monitoring and the station inspection, the agent observed that Reier was operating station WMG482 associated with KOB(AM) with licensed coordinates of 45° 39’ 33” north latitude 111° 03’ 22” west longitude.
- c. 47 C.F.R. § 1.903(a): “Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part...” The license for station WMG482 specifies 55676 as the Facility ID of the associated broadcast parent station. Facility ID 55676 corresponds to KBOZ-FM. At the time of the monitoring and the station inspection, the agent observed that WMG482 was being operated in association with KOB(AM), which has Facility ID 55677.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Reier must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>4</sup>

4. In accordance with Section 1.16 of the Rules, we direct Reier to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Reier with personal knowledge of the representations provided in Reier’s response, verifying the truth and accuracy of the information therein,<sup>5</sup> and confirming that all of the information requested by this Notice which is in the licensee’s possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is

---

<sup>3</sup> 47 U.S.C. § 308(b).

<sup>4</sup> 47 C.F.R. § 1.89(c).

<sup>5</sup> Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

---

**Federal Communications Commission**

---

punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>6</sup>

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
Denver District Office  
215 S. Wadsworth Blvd., Suite 303  
Lakewood, CO 80226

6. This Notice shall be sent to Reier Broadcasting Company, Inc., at its address of record.

7. The Privacy Act of 1974<sup>7</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Nikki P. Shears  
District Director  
Denver Office  
Western Region  
Enforcement Bureau

---

<sup>6</sup> 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

<sup>7</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).